



MINUTES OF THE REGULAR MEETING  
OF THE PLANNING COMMISSION  
CITY COMMISSION CHAMBERS, CITY HALL  
THURSDAY, DECEMBER 11, 2008 3:30 P.M.

The Planning Commission of the City of Leesburg held its regular meeting Thursday, December 11, 2008, in the Commission Chambers at City Hall. Chairperson Stults called the meeting to order at 3:30 p.m. The following Commission members were present:

Roland Stults  
Jo Ann Heim  
Clell Coleman  
Agnes Berry  
Donald Lukich

City staff present included Bill Wiley, Director, Mike Miller, Planner, Amber Albinio, Administrative Assistant II, and Fred Morrison, City Attorney.

The meeting opened with an invocation given by Commissioner Agnes Berry and the Pledge of Allegiance to the Flag.

**MINUTES OF PLANNING & ZONING COMMISSION MEETING OF NOVEMBER 13, 2008**

**Commissioner Jo Ann Heim moved to APPROVE the minutes as transcribed. Commissioner Agnes Berry SECONDED the motion which, PASSED by a unanimous voice vote of 5 to 0.**

Bill Wiley, Director informed the audience of the rules of participation and the need to sign the speaker's registry. Bill Wiley also informed Commissioners and the audience of the City Commission meeting dates tentatively scheduled.

Amber Albinio, Administrative Assistant II swore in staff, Bill Wiley and Mike Miller.

**NEW BUSINESS:**

- 1. PUBLIC HEARING CASE # 081-0-121108 – HYPES PROPERTY – SMALL SCALE COMPREHENSIVE PLAN AMENDMENT**  
REQUEST FOR A RECOMMENDATION TO THE CITY COMMISSION TO AMEND THE FUTURE LAND USE MAP FOR APPROXIMATELY .22 ACRES FROM LC REGIONAL COMMERCIAL TO CITY GENERAL COMMERCIAL FOR A PROPERTY GENERALLY LOCATED ON THE WEST SIDE OF VISTA AVENUE,

SOUTH OF SHADEMOOR DRIVE AND NORTH OF U.S. HIGHWAY 441 AS  
LEGALLY DESCRIBED IN SECTION 23, TOWNSHIP 19S, RANGE 25E.  
**(TENTATIVE CITY COMMISSION DATES - 1<sup>st</sup> READING ON JANUARY 12,  
2008 AND A 2<sup>ND</sup> READING ON JANUARY 26, 2008)**

Bill Wiley, entered the exhibits into the record, which included the application, general location map, staff summary, departmental review summary, staff recommendations, aerial, maps and photos.

Mike Miller, Planner, presented the overhead visuals including the general location map, aerial map, future land use, surrounding zoning and land uses, wetlands & flood zones, and surrounding property photos.

Bill Wiley reviewed and summarized the request and stated department reviews and surrounding property owner approvals as follows:

- ▶ Noted, miscellaneous public comment received:  
Ed Bixby, Jr. – adjacent owner of ¾ acre undeveloped property  
“No opinion, other than the City blew it 10 years ago by not making all of Vista and Blossom part of the City and with the ability for investors to go Commercial – too late now.”

Bill Wiley stated the staff's recommendation as follows:

- ▶ Future Land Use designation of City General Commercial is compatible with the adjacent and nearby properties in the area.
- ▶ Future Land Use designation of City General Commercial is consistent with the City's Growth Management Plan.
- ▶ The proposed zoning of district of RP (Residential Professional) is compatible with adjacent properties and does not appear to create a detriment to the surrounding properties with a proposed use of a single family residence.
- ▶ Vote to approve the Future Land Use designation of City General Commercial subject to the property receiving annexation approval from the City Commission.

Mr. Wiley stated the reason for request into the city is to connect to city water and wastewater. The owner of the property will continue to use the property as a single family residence. The staff is looking to provide a transition zoning for this property to allow either a residential use or office use for the future. Under the old code in 2004 there were no transition zonings available for properties in these areas.

**Commissioner Donald Lukich made a motion to APPROVE case #081-0-121108 – Hypes Property - Small Scale Comprehensive Plan Amendment. Commissioner Clell Coleman SECONDED the motion which, PASSED by a voice vote of 5 to 0.**

**2. PUBLIC HEARING CASE # 080-1-121108 - HYPES PROPERTY - REZONING**  
AN ORDINANCE OF THE CITY OF LEESBURG, FLORIDA, REZONING

APPROXIMATELY .22 ACRES FROM COUNTY R-6 (URBAN RESIDENTIAL) TO CITY RP (RESIDENTIAL PROFESSIONAL) FOR A PROPERTY GENERALLY LOCATED ON THE WEST SIDE OF VISTA AVENUE, SOUTH OF SHADEMOOR DRIVE AND NORTH OF U.S. HIGHWAY 441 AS LEGALLY DESCRIBED IN SECTION 23, TOWNSHIP 19S, RANGE 25E. **(TENTATIVE CITY COMMISSION DATES - 1<sup>st</sup> READING ON JANUARY 12, 2008 AND A 2<sup>ND</sup> READING ON JANUARY 26, 2008)**

Bill Wiley, Director, stated that the same exhibits will be used for this case as stated for the previous case already entered.

Mike Miller, Planner presented the overhead visual, the surrounding zoning map.

Bill Wiley reviewed and summarized the request and stated department reviews and surrounding property owner approvals as follows:

- ▶ Same miscellaneous comment as previous case.

Bill Wiley reviewed and summarized the request and stated staff's recommendation as follows:

- ▶ The proposed zoning district City RP (Residential Professional) is compatible with adjacent property zoned City C-3 (Highway Commercial) and County R-6 (Urban Residential District). This is an area of transition from single family residential to more intense uses and the proposed zoning would provide for some transition from the commercial uses to the south and the adjacent residential uses. The proposed use of a single family residential home does not appear to create a detriment to the surrounding properties.
- ▶ The proposed zoning district of City RP (Residential Professional) is compatible with the properties to the north, south, east and west that have an existing future land use of LC Regional Commercial; and the proposed future land use of City General Commercial.
- ▶ Vote to approve the proposed rezoning from County R-6 (Urban Residential) to City RP (Residential Professional) subject to the property receiving approval from the City Commission of an annexation under case number 082-4-121108, and a future land use designation of City General Commercial under case number 081-0-121108 and forward to the City Commission for consideration.

Commissioner Roland Stults asked Mr. Wiley if he for sees all the homes in the area on Vista and Blossom going to the RP zoning.

Mr. Wiley answered that he wouldn't say that at this point, but he is hoping to look at this case by case basis at some point. With this type area with a lot of single family homes that are owner occupied we try not to encroach upon them. Transition areas generally turn into rental areas and aren't kept up as well as owner occupied areas.

**Commissioner Jo Ann Heim made a motion to APPROVE case #080-1-121108 – Hypes Property Rezoning. Commissioner Donald Lukich SECONDED the motion which, PASSED by a voice vote of 5 to 0.**

**DISCUSSION:**

**PROPOSAL FOR A ONCE A MONTH MEETING FOR THE PLANNING COMMISSION**

Mr. Wiley stated that our case load doesn't support two meetings for each month and Mike Miller conducted a research project for surrounding municipalities and discovered that a majority of their Planning Commissions only met once a month. We are the only city that meets twice a month.

Roland asked which week will the meeting be held if we do go to once a month meetings.

Bill replied that we will get back to them in January once we receive approval from the City Manager and we review the code to see how the schedule is to be determined. If there is not a code change that needs to take place then we will present the new schedule at our next meeting to readopt as a resolution.

Donald Lukich requested if we choose to adopt a once a month meeting schedule can we make it flexible so that if cases to start to pick up we may have circumstances that we will need to meet more than once a month if business starts to pick up again.

Roland replied that he was sure the city would look at that for need to hold a special meeting.

**Commissioner Donald Lukich made a motion to APPROVE the once a month meeting proposal. Commissioner Jo Ann Heim SECONDED the motion which, PASSED by a voice vote of 5 to 0.**

The meeting adjourned at 3:55 p.m.

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Roland Stults III, Chairperson

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Jo Ann Heim, Vice Chairperson

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Amber D. Albinio, Administrative Assistant II